

CHAPTER 9

CONDITIONAL USES

SECTION

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11-900 Development Procedures.

- A. Before a permit is issued for any use permitted by right, or subject to special condition, the site plan of the proposed development shall be reviewed and approved by the Planning Commission. The Planning Commission shall have the power to impose conditions regarding the location of buildings on the site, yard requirements, the location and design of parking and access facilities, fencing and screening, noise abatement, outdoor advertising and other features affecting the character of the area and the compatibility of the proposed use to existing nearby uses. The Planning Commission may require the applicant to enter into a Development Improvement Contract with the City to assure that those improvements required be constructed as approved. (Ord. #984, 09/06/01).
- B. In order that The Planning Commission may make an accurate determination of the character of the proposed use, the applicant shall submit an accurately and legibly drawn site plan as provided in Section 11-1101, *et seq.* The Planning Commission may make other reasonable requirements for information when necessary. The Planning Commission may require the applicant to provide certification of proper design,

installation, and availability of improvements such as drainage, fire service, street access, and utility services such as electric, water, gas and sewer. (Ord. # 984, 09/06/01).

- C. The Planning Commission shall meet and act upon any application within forty-five (45) days from the date of the first meeting at which properly prepared site plans are presented. Failure to act shall constitute approval. When an application is denied, the Planning Commission shall state the reasons for such action in writing. (Ord. # 984, 09/06/01).

Provided, however, that these development procedures shall not apply to the standards for single lot mobile homes and single lot manufactured homes provided for in 11-902, temporary uses provided for in 11-914, standards for residential occupancy in commercial districts provided for in 11-924.

All conditional uses shall conform to the applicable development standards provided in this chapter prior to the issuance of a Building Permit or Certificate of Occupancy by the Building Inspector.

11-901. Standards for Travel Trailer Parks.

- A. Location. Travel Trailer Parks shall be located in districts as indicated in Table 1 of this ordinance; furthermore, it shall be unlawful for any travel trailer to be occupied or serviced outside of any approved travel trailer park. This provision shall not apply to the storage of travel trailers provided such travel trailer is neither temporarily nor permanently occupied as a living unit while in storage.
- B. Access. No travel trailer park shall be located except with direct access to a state or federal numbered highway or other designated arterial street. No entrance or exit from a travel trailer park shall be through a residential district, nor required movement of traffic from the park through a residential district.
- C. Site Condition. Condition of soil, groundwater level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors or other adverse influences, and no portion subject to unpredictable and/or sudden flooding, subsidence or erosion shall be used for any purpose which would expose persons or property to hazards.
- D. Minimum Site Area and Maximum Number of Spaces.
1. Each parcel of land to be used for travel trailer parks shall have a minimum site area of one (1) acre.
 2. There shall be no more than fifteen (15) spaces per acre of land within the travel trailer park.
- E. Spaces for Occupancy and Lengths of Stay. Spaces in travel trailer parks may be used by travel trailers including campers, recreation vehicles, or equivalent facilities constructed in or on automotive vehicles. Spaces shall be rented by the day or week only, and the occupant of such space shall not remain in the same trailer park more than thirty (30) days.
- F. Standards for Travel Trailer Spaces.
1. Minimum Size.

- a. All spaces shall have a minimum area of 1,800 square feet with a minimum width of 20 feet and a minimum length of 60 feet.
 - b. Each space shall be designed so that any two travel units will have a minimum separating distance of 10 feet.
2. Access. Each travel trailer space shall abut at least one street within the boundaries of the travel trailer park and access to each space shall be only from an internal street.
3. Setback Requirements. No part of a travel trailer placed on a travel trailer space shall be closer than five (5) feet to any space line and ten (10) feet to any street line within the park.

G. Streets and Parking.

1. Entrance and exits to travel trailer parks shall be designed for safe and convenient movement of traffic into and out of the park.
2. No entrance or exit shall require a turn at more than a ninety (90) degree angle for vehicles moving in the direction intended, and radii of curbs and pavements at intersections shall be such to facilitate easy turning movements for vehicles with trailers attached.
3. Access to the park shall be located so as to provide an unobstructed view of the oncoming traffic from both directions for at least the minimum sight stopping distance as determined by the design and speed limit of the abutting street.
4. Width of Streets.
 - a. Streets in a travel trailer park shall be private and shall have a minimum paved width as follows:
 - One-way - with no on-street parking.....12 feet
 - One-Way - with parallel parking on one side only.....18 feet
 - One-Way - with parallel parking on both sides.....26 feet
 - Two-Way - with no on-street parking.....20 feet
 - Two-Way - with parallel parking on one side only.....28 feet
 - Two-Way - with parallel parking on both sides.....36 feet
5. Street Surfacing
 - a. All streets shall be paved.
 - b. Street paving specifications shall be submitted by the developer for approval by the Building Inspector

6. Parking

- a. Each travel trailer park shall have off-street parking pads for both travel trailer and towing vehicle.
- b. The pads shall either be paved or constructed of other stabilized material.
- c. There shall be at least one (1) paved, off-street parking space for each travel trailer space, which shall be on the same site as the travel trailer and may be located in the rear or side yard.
- d. There shall be established and maintained within each travel trailer park an automobile parking area for the use of guests. The number of spaces within this area shall be equal to one (1) for every four (4) travel trailer spaces.

I. Required Utilities

1. All travel trailer parks shall be served by a public water and sewer system and shall comply with all provisions of the Tennessee Trailer Court Act, Tennessee Code Annotated, Section 68-24-101 et. seq., as well as all applicable rules and regulations of the Tennessee Department of Public Health regarding water supply, plumbing, sewage disposal, refuse storage, collection and disposal, insect and rodent control, electric power, liquefied petroleum (LP) gas, fire protection, and service buildings.
2. The following additional requirements apply to Refuse Storage, Collection and Disposal. Each travel trailer space shall have at least one (1) flytight, watertight, rodent-proof container of a capacity of not less than four (4) gallons and not more than thirty (30) gallons; however, this requirement may be waived when individual spaces are located within two hundred (200) feet of a covered trash receptacle (e.g., dumpster) serving the entire park.

J. Service and Administrative Buildings. Service and administrative building which serve the immediate needs of the travel trailer park may be permitted as follows:

There may be one combined management office and service building to provide space for rental of individual park spaces, and storage space for park supplies, maintenance materials, and equipment. The combined management office and service buildings shall have not more than 1,000 square feet of floor area and shall only serve the occupants of the park.

There may be one building containing a self-service laundry and/or dry cleaning service. This building shall be located on the park site and shall contain no more than 600 square feet of floor area. Such building shall only serve the occupants of the park.

K. Landscaping and Screening. Around the perimeter of a travel trailer park, fences, walls, or screening shall be provided to protect occupants from undesirable views, or to protect occupants of adjoining residential districts as follows:

1. Where a park adjoins a public street along boundaries a suitably landscaped yard at least twenty-five (25) feet in depth shall be provided along such streets.

2. Where a park adjoins another residential district without an intervening street or alley, a suitably landscaped yard at least twenty (20) feet in depth shall be provided adjacent to such boundaries.
3. Where a park adjoins non-residential districts without an intervening street or alley, a suitably landscaped yard at least ten (10) feet in depth shall be provided adjacent to such boundaries.
4. Greater depth area or approved landscaping and screening may be required in any perimeter boundary as provided in Section 11-1200.

L. Open Space and Recreation Requirements

1. A minimum of five (5) percent of the total land area of a travel trailer park shall be devoted to common open space and may be used for common recreational activities.
2. The following standards apply to open space used for recreation purposes:
 - a. Approved recreational areas shall be exclusive of travel trailer spaces, buffer strips, street right-of-way, and storage areas.
 - b. Recreational areas shall be easily accessible to all park users and management.
 - c. Although the required space for recreational uses may be met through more than one recreation site, the minimum size of any such area shall be 2,000 square feet.

M. Permit for Travel Trailer Park. No place or site within the corporate limits shall be established or maintained as a travel trailer park unless a valid permit has been issued for such a park by the Building Inspector.

N. Inspections by Building Inspector. In order to safeguard the health and safety of the occupants of travel trailer parks and of the general public, the Building Inspector shall make inspections as necessary to determine the condition of such parks. The Building Inspector shall also have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this Section.

O. Administrative Procedure for Travel Trailer Park Approval. The developer of a proposed travel trailer park shall submit to the Municipal Regional Planning Commission a site plan as follows:

1. Submission of a Site Plan

- a. A plat of the proposed site plan drawn to a scale of not less than one (1) inch equals one hundred (100) feet showing:
 - 1) Total acreage of the tract of land;
 - 2) Location, plans and specification of all existing and proposed streets, rights-of-way, public easements, and buffer zones;
 - 3) Location and dimensions of all travel trailer spaces;

- 4) Location, places and specifications of all proposed service buildings, and recreation areas;
 - 5) Location and sizes of all water and sewer lines and other required utilities;
 - 6) All setback dimensions.
 - b. Agreements, provisions, or covenants which govern use, maintenance and operation of the travel trailer park.
2. Issuance of Building Permit. Upon approval of the site plan, the Building Inspector shall issue building permits for all approved improvements to the site.
3. Final Approval and Certificate of Occupancy. The following information must be submitted to the city manager or city manager's designee before final approval can be obtained and a certificate of occupancy can be issued:
 - a. Certification by a registered engineer or surveyor as to the accuracy of the survey and placement of monuments.
 - b. Certification by the local utilities board and County Health Department that all required utilities have been provided in compliance with all local county and state standards and regulations.
 - c. Certification from the Building Inspector that all buildings, structures, and other improvements to the land have been constructed and installed according to the site plan in compliance with all specifications of this section of the building codes.

11-902. Single Lot Mobile Homes and Single Lot Manufactured Homes.

A. Single Lot Mobile Homes.

1. Location. Mobile home shall be permitted on individual (single) lots outside of mobile home district as a conditional use as indicated in Table 1 and as further provided herein.
2. Area and Bulk Regulations. Mobile homes located on separate lots outside a mobile home district shall comply with all applicable area, bulk and use regulations for the district in which such mobile home is located.
3. Foundation and Skirting. When feasible, the wheels and axles of a mobile home shall be removed, and the mobile home shall be placed on a permanent block, brick, or stone foundation. The foundation must be completed within a 60-day time period from the date the building permit is issued. In the absence of a continuous, solid foundation, skirting shall be used to shield the undercarriage, wheels, axles, and tongue-hitch of the mobile home from view and to reduce the possibility of wind damage. Material used in skirting shall be permanent and may include Masonite, aluminum, vinyl, and wood. Skirting may be similar in appearance to the design pattern of the siding of the mobile home or may simulate a stone, block, or brick foundation. Skirting must be in place within 30 days following the placement of the structure.

4. Anchoring and Harboring. Mobile homes placed on individual lots after the effective date of this ordinance shall comply with all provisions of the Tennessee Mobile Home Anchoring Act (Tennessee Code Annotated, Section 68-36-401 et. seq.).

5. Application and Permit for Single Lot Mobile Home.

- a. Before siting a mobile home on an individual lot or replacing a mobile home on an individual lot, the owner of the mobile home shall secure a permit from the Building Inspector for the placement or reattachment of such mobile home.
- b. An application for a single lot mobile home permit shall be filed with and issued by the Building Inspector. Applications shall be in writing and signed by the applicant.

The application shall contain the name of the applicant; the location and description of the mobile home including make, model, and year; and any other information which may be required by the Building Inspector to determine if the mobile home and site comply with all applicable codes and ordinances of the City of Paris.

B. Single Lot Manufactured, Double-wide Homes

1. Location. Manufactured homes shall be permitted on individual (single) lots outside of an RMH district as a conditional use as indicated in Table 1 and as further provided herein.
2. Area, Bulk, and Use Regulations. Manufactured homes located on separate lots outside an RMH district shall comply with all applicable area, bulk, and use regulations for the district in which such manufactured home is located.
3. Foundation. The unit must be installed on a permanent foundation system in compliance with all applicable requirements of the Southern Standard Building Code.
4. Exterior Material Covering. The home must be covered with an exterior material customarily used on conventional dwellings. The exterior covering material shall extend to the ground except that, when a solid concrete or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation. Suitable exterior materials shall include, but shall not be limited to brick, wood, aluminum siding, vinyl siding, or clapboard materials, but shall exclude corrugated metal or plastic panels.
5. Towing Apparatus. The hitches or towing apparatus, axles and wheels must be removed.
6. Roofing. The roof must be pitched so there is at least a two inch vertical rise for each twelve (12) inches of horizontal run. The roof must consist of material that is customarily used for conventional dwellings including but not limited to approved wood, asphalt composition shingles or fiberglass, but excluding corrugated aluminum, corrugated fiberglass or metal roof.
7. Siting. The unit must be oriented on the lot so that its long axis is parallel with the street.

8. Application and Permit for Single Lot Mobile Home.

- a. Before placing a manufactured home on an individual lot outside an RMH district or the replacement of a mobile home on an individual lot, the owner of the manufactured home shall secure a permit from the Building Inspector for the placement or replacement of such home.
- b. An application for a single lot manufactured home permit shall be filed with and issued by the Building Inspector. Applications shall be in writing and signed by the applicant.

The application shall contain the name of the applicant; the location and description of the manufactured home including make, model, and year; and any other information which may be required by the Building Inspector to determine if the home and site comply with all applicable codes and ordinances of the City of Paris.

11-903. Motor Vehicle Dealers, Repair Services and Related Uses.

A. Motor Vehicle Sales Agency.

1. Such agency must be developed as a planned center or complex specializing in new motor vehicle sales. As part of the planned center, there shall be included a physical improvement such as a common service roadway other than the public thoroughfare providing access to the site. Review by the Planning Commission shall be on the basis of the total planned center.
2. The minimum lot area shall be three (3) acres and so arranged that ample space is available for motor vehicles which are required to wait or be stored or parked.
3. Uses normally Accessory to New Motor Vehicle Sales Establishments, such as major engine repair or rebuilding, body repair, painting and undercoating shall be permitted provided such uses are clearly subordinate and incidental to the principal use and provided further that such uses shall be conducted within a completely enclosed building.
4. Outdoor Sales Space for used motor vehicles shall be permitted as an accessory use.
5. Establishments Principally or Solely for the sale of used vehicles shall be prohibited.
6. A Site Plan accurately and legibly drawn to scale indicating the proposed layout of the planned automobile center shall be submitted by the applicant to the city manager or city manager's designee for review and approval by the Planning Commission. No building permit shall be issued until a site plan has been approved by the Planning Commission.

B. Outdoor Motor Vehicle Sales Space.

1. Such space shall be for the exclusive sale or lease of new or used automobiles, trucks and heavy equipment, mobile homes, trailers, recreational vehicles, boats or motorcycles.

2. A minimum lot area of 10,000 square feet shall be required with a minimum frontage of sixty-five (65) feet on a major thoroughfare, existing or proposed.
3. The lot area shall be provided with a permanent, durable, and dustless surface, and shall be graded and drained so as to dispose of all water accumulated within the area.
4. Entrance and exit points shall be located not closer than sixty (60) feet from the intersection of any two thoroughfare right-of-way lines, existing or proposed. (Ord. # 933, 06/02/98).

11-904. Automotive Service Stations, Self-Service Stations, Accessory Automobile Fuels Self-Service Area.

- A. Minimum Lot Area. Minimum lot area for automotive service stations and self-service stations shall be based on the number of fuel dispensing units (pumps) as follows:
 1. 1-4 units: 10,000 sq. ft.
 2. 5-8 units: 15,000 sq. ft.
 3. 9-12 units: 20,000 sq. ft.
 4. More than 12 units: 5,000 sq. ft. for each additional four (4) units.
- B. Fuels Dispensing Area. A lot on which self-service fuel dispensing units are incidental (accessory) to the principal building or use (e.g., car wash, grocery store, etc.) shall have the fuel-dispensing area located to avoid movement conflicts between the principal building or use, the off-street parking, and the traffic on the abutting street.
- C. Setback Requirements.
 1. There shall be a building setback from all right-of-way lines a distance of not less than forty (40) feet.
 2. Service station main and accessory buildings shall not be constructed closer than fifty (50) feet to any residential district.
 3. To insure that sufficient room be provided on either side of the pumps without intruding upon sidewalks or on adjoining property, gasoline pumps shall not be located closer than fifty (50) feet from any residential district.
 4. Gasoline pump islands shall not be located closer than fifteen (15) feet to any street right-of-way line; however, where pump islands are constructed perpendicular to the pavement edge, the pump island shall be located not less than thirty (30) feet back of the right-of-way line.
 5. Canopies shall not be constructed closer than fifteen (15) feet from any street right-of-way.
- D. Driveways
 1. Driveways for service stations entrance and exit shall not be permitted to such locations that will tend to create traffic hazards in the street immediately adjacent thereto.

2. The maximum width of a driveway opening at the property line shall be forty (40) feet.
3. Driveway entrances shall not be less than twenty-five (25) feet from a street intersection as measured from the right-of-way lines (existing or proposed) or from adjacent residential property.
4. Minimum distance between two driveways serving the same property and which provide access to the same street - measured at the property line.
 - a. Where street is not a state highway - twenty-five (25) feet.
 - b. Where street is a state highway - twenty-five (25) feet or the same width as the widest driveway, whichever is greater.

E. Curbs

1. A raised curb at least six (6) inches in height shall be constructed on or behind all street property lines, except as driveway openings.
2. Radius of curb return. The curb return radius shall be not less than five (5) feet nor more than twenty (20) feet; provided, however, that no such radius shall exceed the distance between the driveway opening at the property line and the adjoining property line or one-half (1/2) the distance to an adjacent driveway.

F. Off-street loading spaces shall be provided based on need.

G. When the automobile service facility is located adjacent to either a residential structure or a residential district, landscaping shall be provided by either.

1. A strip at least four feet wide, densely planted with shrubs or trees at least four (4) feet height at the time of planting, and which are of a type which may be expected to form a year-round screen at least six (6) feet high in three years; or
2. A wall or barrier or uniformly painted fence of fire-resistant material between 6 and 8 feet in height. Such wall, barrier, or fence may be opaque or perforated provided that no more than 50 percent of the fence is open. Such screening, either natural or man-made shall not be placed within 15 feet of the normal vehicular entrances or exits.

H. When the automobile service facility is located within a shopping center as regulated in Section 11-507, the following requirements shall apply:

1. The facility must occupy a prominent location in the shopping center, clearly visible and accessible from major streets.
2. The facility must be in architectural harmony with the shopping center.
3. The traffic pattern of the facility must be separated from the circulation pattern of the shopping center, including parking areas.

I. The sign control provisions of the district in which the automobile service activity is requested shall apply.

- J. A site plan must be submitted to the Planning Commission taking into consideration the above factors.

11-905. Automobile Wash Facility.

- A. Such facility shall be subject to the requirements for automotive self-service stations when engine fuels are sold as a part of the operation.
- B. When such facility is completely enclosed within a building or structure and does not include the sale of engine fuels, the dimensional regulations of the district shall apply.

11-906. Motorcycle And Automobile Repair Garages.

- A. Such uses shall not include the sale of fuels, vehicle body repair, painting, refinishing, tire recapping, auto dismantling, or other such activities whose external effects could adversely extend beyond the property line.
- B. All such activities shall be conducted within a completely enclosed building.

11-907. Sale, Storage, or Recapping of Tires. (Ord. #1273, 08/12/2021).

- A. The sale or storage of new or used tires or the sale, storage, or recapping of tires should be compatible with other uses on the adjacent or surrounding properties.
- B. All applicable State and Federal Standards must be met.
- C. All Operations shall be conducted entirely within an enclosed building.
- D. No more than ten (10) tires, at a time, new or used, shall be displayed for sale outside the building.
- E. Outside storage of any scrap rubber or waste materials shall not be permitted.
- F. Temporary storage of used tires that are held for disposal in the ordinary course of business is allowed so long as such storage is in the rear of the business premises in an area not visible to the public.

11-908. Warehousing and Storage of Waste Material. A lot or other tract of land to be used for the sole (principal) purpose of storage and/or sale from the premises of waste material may be permitted as follows:

11-909. Auto wrecking (junk) yards. Such yards shall be entirely enclosed within a masonry obscuring wall of at least six (6) feet in height and which shall be constructed around all sides of the junk yard area so as to be of sufficient strength to serve as a retaining wall.

11-910. Scrap and Salvage Operations. The following regulations shall apply to such operations:

- A. The location and topography of the site shall be situated so that fencing, screening, and landscaping can be provided as appropriate to protect the surrounding areas from the activities on the site. In no case shall such an activity be established within 50 feet of any public street.
- B. The scrap operation shall not include any open burning activity on the site.

- C. Insect and rodent control measures shall be provided as approved by the County Health Department.
- D. All required fences and landscaped screening shall be maintained in a neat and attractive manner.
- E. The location and operation of such facility shall conform to all applicable state and federal standards.
- F. Off-street parking: One space shall be provided for each two (2) employees, plus one space for each 10,000 square feet of lot area or two (2) spaces for each 1,000 square feet or gross floor area, whichever is greater.
- G. Sign control shall be determined by the district in which the scrap and salvage operation is located and as further provided in Section 11-1400.

11-911. Facilities for the Storage of Building and Related Materials A lot or other tract of land to be used for the sole (principal) purpose of providing storage facilities for building materials, sand, gravel, stone, lumber, construction contractors equipment and supplies, new or used vehicles and equipment may be permitted as conditional use providing the following additional standards can be met:

- A. Such uses shall be enclosed within a building or within an obscuring wall or screen as provided in Section 11-1200.
- B. Such storage areas shall be set back a minimum of fifty (50) feet from any public street.
- C. When such areas are to be used for the storage of vehicles, no repair work or servicing shall be permitted other than minor repair or servicing necessary to prepare the vehicles for storage or to bring them out of storage.
- D. Such storage areas shall have a dustless, durable surface consisting of concrete, asphalt, gravel, or crushed stone properly designed and with adequate off-site drainage.

11-912. Outdoor Self-Storage Facilities A building or group of buildings designed with individual storage units that are accessed from the outdoors by way of a common vehicle circulation area. The following minimum requirements and standards shall apply:

- A. Minimum Lot Size. The minimum lot size shall be one-half (1/2) acre.
- B. Setbacks and Yard Requirements. All setbacks and yard requirements for the district where the development is located shall apply provided, however, that the maximum building coverage shall be fifty percent (50%). The remaining lot area may be used for driveways, parking and loading, fencing, screening, and landscaping. Provided, however, that outdoor self-storage facilities shall be prohibited in the B-2 Zone.
- C. Landscaping, Fencing, and Screening. As provided in Section 11-1700.
- D. Onsite Circulation and Interior Driveways (for multi-building facilities).
 - 1. There shall be a minimum of 25-foot separation between buildings.
 - 2. All driveways, parking, loading, and vehicle circulation areas shall be paved with concrete, asphalt, or asphalted concrete.

3. Adequate bumper guards or fences shall be provided to prevent the extension of vehicles beyond the property lines of the development.
 4. Traffic direction and parking spaces shall be designated by signage or painted lines.
- E. Office and Parking. An office for rental of storage units is allowed. Such office space may not exceed 400 square feet per 25,000 square feet of rental space, excluding any bathroom facilities. There shall be adequate provision for parking associated with office traffic on site.

There shall be adequate provision for parking associated with storage space rental units. This parking requirement may be accomplished within the driveway or loading lanes as approved by the Planning Commission.

- F. Uses Prohibited. The use of the facility shall be established and maintained in accordance with all applicable State, Local, and Federal Laws. In addition:
1. Perishable items, trash, radioactive or toxic substances, garbage, refuse, explosives, or flammable materials, hazardous substances, animal carcasses or skins, or similar items shall not be stored.
 2. Keeping of animals in storage units is prohibited.
 3. The only activities permitted in individual storage units shall be the rental of the unit and the pick-up and deposit of goods and/or property in storage.
 4. Storage units shall not be used for activities such as residences, offices, workshops, studios, hobby or rehearsal areas.
 5. Manufacturing, fabrication, or processing of goods, services, or repairs of vehicles, engines, appliances, electrical equipment, or any other repair and maintenance of personal property or any other industrial activity is prohibited.
 6. Garage sales, yard sales, or estate sales from storage units are prohibited. Provided, however, this does not preclude auctions or sales by the landlord/owner of the development for the disposition of abandoned property, unclaimed property, or sales of property inside the storage unit by landlord/owner pursuant to the rental agreement with the tenant of the unit.
 7. No separate dedicated utility connections for water, telephone, cable television, internet, or gas will be provided to individual units. Electrical outlets may be installed in individual storage units for use as permitted by the rental agreement. (Ord. #1229, 4-5-18)

11-913. Hotels and Motels shall be subject the following requirements:

- A. Entrance and exit shall be provided so as not to conflict with adjacent uses or adversely affect traffic flow on adjacent thoroughfares.
- B. A minimum frontage of one hundred (100) feet on a major thoroughfare, existing or proposed (Ord. #728, 03/01/90).
- C. Each unit shall contain not less than two hundred (200) square feet of floor area.
- D. Yard setbacks shall be those required by the district or as provided as follows, whichever is greater:
 1. A setback of at least two (2) feet per foot of building height, where such yard abuts residentially zoned land.
 2. A setback of at least one (1) foot per foot of building height, where such yard abuts non-residentially zoned land or thoroughfares.
- E. Site Plan Review: As provided in Section 11-1101, *et seq.*

11-914. Temporary Uses - The uses found in Section 11-916, through 11-921, are deemed to be temporary uses and shall also be subject to the specific regulations and time limits which follow and to the regulations of any district in which such use is located. Temporary uses as defined in this ordinance shall be permitted subject to the following regulations.

11-915. Application for a Temporary Use Permit shall be made to the Building Inspector and shall contain the following information:

- A. A survey or legal description of the property to be used, rented, or leased for a temporary use, including all information necessary to accurately portray the property.
- B. A description of the proposed use.
- C. Sufficient information to determine the yard requirements, setbacks, sanitary facilities, and availability of parking space to service the proposed use.

11-916. Carnival or Circus. In any nonresidential district, a temporary Use Permit may be issued for a carnival or circus, but such permit shall be issued for a period of not longer than fifteen (15) days. Such a use shall set back from all residential districts a distance of one hundred (100) feet or more.

11-917. Christmas Tree Sale. In any district, a Temporary Use Permit may be issued for the display and open-lot sales of Christmas trees, but such permit shall be issued for a period of not longer than thirty (30) days.

11-918 Temporary Buildings. In any district, a Temporary Use Permit may be issued for a contractor's temporary office and equipment sheds incidental to a construction project. Such office or shed shall not contain sleeping or cooking accommodations. Such permit shall be valid for not more than one (1) year but may be renewed a maximum of two one-year extensions. However, such office or shed shall be removed upon completion of the construction project or upon expiration of Temporary Use Permit, whichever occurs sooner.

11-919 Real Estate Office. In any district, a Temporary Use Permit may be issued for a temporary real estate sales office in any new subdivision which has been approved in accordance with the provisions of the Paris Subdivision Regulations. Such office shall contain no sleeping or cooking accommodations. Such permit shall be valid for not more than one (1) year but, may be renewed a maximum of three one-year extensions. Such office shall be removed upon completion of the development of the subdivision or upon expiration of the Temporary Use Permit, whichever occurs sooner.

11-920 Religious Tent Meeting. In any non-residential district, a Temporary Use Permit may be issued for a tent or other temporary structure to house religious meetings, but such permit shall be valid for not more than thirty (30) days.

11-921 Seasonal Sale of Farm Produce. In any district, a Temporary Use Permit may be issued for the sale of farm produce grown only on the premises. Such sales space shall be of portable or sectional construction and shall not exceed an area of one hundred (100) square feet. Such stands shall be removed when not in use. A permit shall be valid for not more than four (4) months per year. A temporary structure used for this purpose shall set back from all public rights-of-way a distance of not less than fifteen (15) feet.

11-922. Swimming Pools

- A. Private Swimming Pool - A private swimming pool shall be any pool or open tank not located within a completely enclosed building and containing water to a depth at any point greater than one and one-half (1-1/2) feet. Private swimming pools are permitted in any residential district provided:
1. The pool is intended and is to be used solely for enjoyment of the occupants of the property on which it is located and their guests.
 2. No swimming pool or part thereof, excluding aprons, walks and equipment rooms, shall protrude into any required front or side yard.
 3. The swimming pool area shall be so walled or fenced so as to prevent uncontrolled access by children from the street or from adjacent properties. Said fence or wall shall not be less than five (5) feet in height and maintained in good condition.
- B. Community Club Swimming Pool - A community club swimming pool not open to the public shall be any pool constructed by an association of property owners, or by a private club for the use and enjoyment by members of the association or club and their families and guests. Community and club swimming pools shall comply with the following conditions and requirements:
1. The pool is intended solely for the enjoyment of the members and families and guests of members of the association or club under whose ownership or jurisdiction the pool is operated.
 2. The pool and accessory structures thereto, including the areas used by bathers, shall not be closer than fifty (50) feet to any property line of the property on which located.
 3. The swimming pool and all of the area used by the bathers shall be so walled or fenced so as to prevent uncontrolled access by children from the street or adjacent properties. Said fence or wall shall be not less than five (5) feet in height and maintained in good condition. The area surrounding the enclosure, except for the parking spaces, shall be suitably landscaped with grass, hardy shrubs and trees, and maintained in good condition.

11-923. Above-Ground Storage of Flammable or Non-Flammable Liquids or Gases.

- A. The above-ground outdoor storage of flammable or non-flammable liquids or gases, when permitted, shall be in conformance with all other applicable codes and requirements and subject to the regulations herein.
- B. Above-ground outdoor storage of flammable or non-flammable liquids, when permitted, may be located only within rear yards. The Building Inspector shall determine the proper location for such storage when yards other than rear yards must be utilized in order to comply with other applicable codes and requirements, or where an actual rear yard cannot clearly be defined.
- C. Facilities for the above-ground outdoor storage of flammable or non-flammable liquids or gases shall be screened from the view of those on adjacent public streets. When such screening cannot be achieved by the location of such facilities in relation to adjacent building, masonry walls, earth berms, or opaque planting screens shall be utilized. Such screening devices shall be designed so as to permit the free circulation of air around the storage tanks or facilities and their design shall be subject to the approval of the Fire Inspector and Building Inspector.

11-924. Standards for Residential Occupancy in Commercial Districts.

- A. Standards for Residential Occupancy and Development in the B-2 Zone (Central Business District)
 - 1. Residential occupancy of part or all of an existing non-residential building shall not be permitted in the basement or ground floor of the building. Residential occupancy on the floor(s) above the ground floor of the building shall be allowed subject to compliance with all applicable building codes. (Ord # 1264, 3/4/21.)
 - 2. Development of a vacant lot in the B-2 zone for residential use shall be permitted subject to the area and bulk regulations for the R-3 district, and subject to the applicable off-street parking, loading and unloading requirements of Section 11-1000.
- B. Standards for Residential Occupancy of B-1, B-3, H-1, and P-B Districts. The owner or manager of a business in the B-1, B-3, H-1 or P-B district shall be permitted to reside on the business premise under the following conditions: (Ord. # 930, 04/07/98).
 - 1. More than 50% of the first floor square footage is used solely for commercial purposes.
 - 2. The proposed residence is in compliance with all applicable building codes.
 - 3. The exterior of the premises shall retain its commercial appearance and no accessory buildings or activities normally associated with residential occupancy, such as: clothes lines, playground equipment, or other such appurtenances shall be allowed.
- C. Standards for Residential Occupancy of M-1, M-2, or P-M Districts as a Special Permit Use. The owner or manager of a business in the M-1, M-2, or P-M District shall be permitted to reside on the business premise under the following conditions: (Ord. #1287, 11/03/2022)
 - 1. Approval is non-transferable. In the case of a lease, permission runs the duration of the lease. The business will need to be in operation for individuals to reside in building.
 - 2. Space may not be leased or utilized by anyone other than being directly employed by the industry or institution for which approval was given and immediate family.
 - 3. Residential occupancy of part or all of an existing non-residential building shall be permitted subject to all federal, state and local requirements including local fire and building codes.
 - 4. No more than 30% may be used as residential.
 - 5. The exterior of the premises shall retain its commercial or institutional appearance and no accessory buildings or activities normally associated with residential occupancy such as: playground equipment, swimming pools, outdoor grills, outdoor lawn furniture, or other such appurtenances shall be allowed.
 - 6. Additional parking is not required provided that the existing or proposed parking meets the parking requirements for the specific use found in Title 11, Chapter 10 of the Paris Zoning Ordinance.
 - 7. The proposed use of the property conforms with the permitted uses, area, and bulk regulations for the district where the property is located, as indicated in Table 1 and Table 2.
 - 8. To safeguard the health and safety of the occupants of this accessory use, inspections by the City Manager or City Manager's designee shall be made as necessary to determine the condition of such facilities. The City Manager or the

City Manager's designee shall also have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this section.

9. If such facilities are present or proposed in or upon an existing business or industry, there shall be provided along the entire side lot lines and rear lot lines a wall or fence as provided in 11-1201 to protect any abutting residential property.

10. All public utilities and sewage disposal shall be available to the site and shall be approved by the Paris Board of Public Utilities.

11. The Board of Zoning Appeals may also attach other conditions on the use of the structure or site which will be necessary to carry out the intent of the Zoning Ordinance.

12. Parking spaces will need to be addressed for industries/businesses who have different shifts to maintain adequate parking for the ones who live on the premises. (Ord. #1287, 11/03/2022).

11-925. Wholesale Trade.

- A. A lot or other tract of land to be used for the sole (principal) purpose of business engaging in selling merchandise to retailers; industrial, commercial, farm or professional business users; or to other wholesalers, or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies may be permitted as follows:
1. The location and topography of the site shall be situated so that fencing, screening, and landscaping can be provided as appropriate to protect the surrounding areas from the activities on the site. In no case shall such an activity be established within 50 feet of any public street.
 2. Insect and rodent control measures shall be provided as approved by the County Health Department.
 3. All required fences and landscaped screening shall be maintained in a neat and attractive manner.
 4. The location and operation of such facility shall conform to all applicable state and federal standards.
 5. Off-street parking: One space shall be provided for each two (2) employees, plus one space for each 10,000 square feet of lot area or two (2) spaces for each 1,000 square feet or gross floor area, whichever is greater.
- B. A lot or other tract of land to be used for the sole (principal) purpose of providing storage facilities for building materials, sand, gravel, stone, lumber, construction contractors equipment and supplies, new or used vehicles and equipment may be permitted as a conditional use providing the following additional standards can be met:
1. Such uses shall be enclosed within a building or within an obscuring wall or screen as provided in Section 11-1200.
 2. Such storage areas shall be set back a minimum of fifty (50) feet from any public street.

3. When such areas are to be used for the storage of vehicles, no repair work or servicing shall be permitted other than minor repair or servicing necessary to prepare the vehicles for storage or to bring them out of storage.
4. Such storage areas shall have a dustless, durable surface consisting of concrete, asphalt, gravel, or crushed stone properly designed and with adequate off-site drainage.

11-926. Five Stand Sporting Clays.

- A. Use. A Five-Stand Sporting Clays firing range shall be allowed in the P-B zone as a conditional use. Such shooting range shall be the only use permitted on the property with the exception of any such accessory uses as are directly related to and in support of the principal use.
- B. Site. The development shall be located on a site containing not less than twenty (20) acres per field. A twenty-five (25) foot setback for any structure, parking, or other improvement on the development site shall be required. All required yards shall be landscaped and maintained as required in 11-1200, et. seq.
- C. Development Standards.
 1. The site shall be developed in accordance with National Sporting Clays of San Antonio, Texas standards, together with any amendments. Such standards will govern the equipment to be used, the layout of the shooting stands, trap placement, and target flight paths, together with target drop zones on premises. All requirements contained in this section shall also be governed upon any rules and regulations as contained in the Paris Municipal Code or in other sections of the zoning ordinance.
 2. The firing line shooting stands shall be no closer than three hundred (300) yards from any property line such that no shot falls off premises.
 3. Signs shall be erected every one hundred (100) feet in a three (300) yard radius from the firing line. Each sign shall be four (4) feet by four (4) feet and shall clearly state that firearms are being discharged beyond the point of the signs. The three hundred (300) yard downrange area shall be kept clear of any improvements and shall be regularly mowed.
 4. Fencing shall be required downrange on either side of the firing line for a minimum distance of fifteen (15) yards on either side. Such fence shall be a minimum height of six (6) feet and shall be of solid construction sufficient to keep any shot from penetrating through the fence.
- D. Parking. A minimum of twenty-five (25) parking spaces, located behind the firing line, shall be required.
- E. Accessory Building. Buildings which directly serve the immediate needs of the Five-Stands Sporting Clays development shall be allowed. Such accessory buildings shall be behind the firing line.
- F. Site Plan Required. A site plan meeting the requirements of 11-1101, et. seq., shall be drawn to scale indicating the property layout and all buildings, the firing line, traps, stands, parking, and fencing. Such site plan shall be subject to review by the Planning Commission. (Ord. # 884, 12/07/95).

11-927. Conversion of Residential Structures for Commercial Use.

Any residential structure in a commercial district may be converted to commercial use, provided:

- A. Such structure meets the requirements of 11-1400, *et. Seq.*, governing non-conforming structures and non-conforming lots of record.
- B. The proposed use of the property conforms with the permitted uses, area, and bulk regulations for the district where the property is located, as indicated in Table 1 and Table 2. (Ord. #1020, 04/01/04).

11-928. Helicopter Landing Zones

A. Definitions:

- 1. Heliport – A landing pad facility for landing and takeoff of helicopters used to board or discharge passengers or cargo. For hospitals this equates to patients and/or organs or critical supplies. It shall also include some or all of the following: hangars, crew quarters, fuel and aircraft maintenance capabilities.
- 2. Helistop – A minimal service landing pad facility for landing and takeoff of helicopters used to board or discharge passengers or cargo. For hospitals this equates to patients and/or organs or critical supplies. A Helistop shall not include refueling, maintenance, or repair facilities. Tiedown facilities [may/shall not] be available so that a single helicopter may be stored on the landing pad.

D. Development Standards for Heliports:

- 1. Zoning Districts – Heliports shall be allowed in any commercial district, except B-2 Central Business District, in any Industrial District, and in the Hospital District, subject to the development standards.
- 2. Distance Requirement – No heliport shall be located within 1,000 feet of any religious facility, school, hospital, library, or public park, or within 1,000 feet of any lot, tract, or parcel upon which a residence or dwelling is located. The measurement of the 1,000 feet is to be made in the straight horizontal line from the edge of the heliport pad to the closest prohibited property line.
- 3. Landing Area – The touchdown area where a helicopter will depart from and land must be constructed of concrete. The area must be constructed to meet the stormwater management requirements in accordance with Title 13, Chapter 5 of the Paris Municipal Code.
- 4. Development Area – The total area of the facility and its design must meet the standards of the Federal Aviation Agency (FAA).
- 5. If such heliport is to be located at ground level it shall either:
 - (a) Be located in an enclosed area which does not permit access by the public at will; or
 - (b) Be completely enclosed by a fence or wall, either temporary or permanent, designed so as to provide safety for persons, animals, vehicles or other objects. The fence or wall shall prevent entrance of

unauthorized personnel, with a minimum height of 48 inches, entirely surrounding the heliport area established by the FAA.

E. Development Standards for Helistops:

1. Zoning Districts – Helistops shall be allowed in any commercial district, except B-2 Central Business District, in any Industrial District, and in the Hospital District, subject to the development standards.
2. Distance Requirement – No helistop shall be located within 1,000 feet of any religious facility, school, hospital, library, or public park, or within 1,000 feet of any lot, tract, or parcel upon which a residence or dwelling is located. The measurement of the 1,000 feet is to be made in the straight horizontal line from the edge of the heliport pad to the closest prohibited property line, provided that this provision shall not apply to hospitals which maintain a helistop for medical emergency flight purposes on premises where the hospital itself is located.
3. Landing Area – The touchdown area where a helicopter will depart from and land must be constructed of concrete. The area must be constructed to meet the stormwater management requirements in accordance with Title 13, Chapter 5 of the Paris Municipal Code.
4. Development Area – The total area of the facility and its design must meet the standards of the Federal Aviation Agency (FAA).
5. If such helistop is to be located at ground level it shall either:
 - (a) Be located in an enclosed area which does not permit access by the public at will; or
 - (b) Be completely enclosed by a fence or wall, either temporary or permanent, designed so as to provide safety for persons, animals, vehicles or other objects. The fence or wall shall prevent entrance of unauthorized personnel, with a minimum height of 48 inches, entirely surrounding the heliport area established by the FAA.

D. Submission of a Site Plan

1. A plat of the proposed site plan drawn to a scale of not less than one (1) inch equals one hundred (100) feet showing:
 - (a) Total acreage of the tract of land;
 - (b) Location, plans and specification of all existing and proposed streets, rights-of-way, public easements, and buffer zones;
 - (c) Location, places and specifications of all proposed service buildings, and accessory uses;
 - (d) Location and sizes of all water and sewer lines and other required utilities;
 - (e) All setback dimensions.

2. Agreements, provisions, or covenants which govern use, maintenance and operation.
- E. Issuance of Building Permit. Upon approval of the site plan, the Building Inspector shall issue building permits for all approved improvements to the site.
- F. Final Approval and Certificate of Occupancy. The following information must be submitted to the city manager or city manager's designee before final approval can be obtained and a certificate of occupancy can be issued:
1. Certification by a registered engineer or surveyor as to the accuracy of the survey and placement of monuments.
 2. Certification by the Paris Board of Public Utilities that all required utilities have been provided in compliance with all local county and state standards and regulations.
 3. Certification from the Building Inspector that all buildings, structures, and other improvements to the land have been constructed and installed according to the site plan in compliance with all specifications of this section of the building codes.
 4. Certification that all improvements meet the National Fire Protection Association (NFPA) standards as determined by the Fire Marshal.
 5. Certification that all requirements of the Federal Aviation Agency (FAA) have been met. (Ord. #1175, 07/2/15)

11-929. **Indoor Self-Storage Facilities.** Self-storage buildings designed to be entirely self-contained with no individual customer units accessed from the outside the structure. The following minimum requirements and standards shall apply:

- A. Minimum Lot Size. The minimum lot size shall be as required for the Zone where the development is proposed.
- B. Setbacks and Yard Requirements. All setbacks and yard requirements for the district where the development is located shall apply. The remaining lot area may be used for driveways, parking and loading, fencing, screening, and landscaping. Provided, however, that indoor self-storage facilities shall be prohibited in the B-2 Zone.
- C. Landscaping, Fencing, and Screening. As provided in Section 11-1700.
- D. Building Development Standards.
1. No individual customer storage unit doors shall be placed on the exterior of the structure.
 2. An entry door to the structure shall be provided that allows access to storage areas. The individual storage areas shall only open on and provide access from the fully enclosed interior common loading areas of the structure.
 3. The interior of the storage structure shall be climate controlled.
- E. Office and Parking. An office for rental of storage units is allowed. Such office space may not exceed 400 square feet per 25,000 square feet of rental space, excluding any bathroom facilities. There shall be adequate provision for parking associated with office traffic on site. There shall be adequate provision for parking associated with storage space rental units.

- F. Uses Prohibited. The use of the facility shall be established and maintained in accordance with all applicable State, Local, and Federal Laws. In addition:
1. Perishable items, trash, radioactive or toxic substances, garbage, refuse, explosives, or flammable materials, hazardous substances, animal carcasses, or skins, or similar items shall not be stored.
 2. Keeping of animals in storage units is prohibited.
 3. The only activities permitted in individual storage units shall be the rental of the unit and the pick-up and deposit of goods and/or property in storage.
 4. Storage units shall not be used for activities such as residences, offices, workshops, studios, hobby or rehearsal areas.
 5. Manufacturing, fabrication, or processing of goods, services, or repairs of vehicles, engines, appliances, electrical equipment, or any other repair and maintenance of personal property or any other industrial activity is prohibited.
 6. Garage sales, yard sales, or estate sales from storage units are prohibited. Provided, however, this does not preclude auctions or sales by the landlord/owner of the development for the disposition of abandoned property, unclaimed property, or sales of property inside the storage unit by landlord/owner pursuant to the rental agreement with the tenant of the unit.
 7. No separate dedicated utility connections for water, telephone, cable television, internet, or gas will be provided to individual units. Electrical outlets may be installed in individual storage units for use as permitted by the rental agreement. (Ord. #1229, 4-5-18)